

Docket No.: F06-436-US

Serial No.: 10/569,838

FUJIT.081



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Mineo HIRAMATSU, et al.

Serial No.:

10/569,838

Group Art Unit:

1765

Filing Date:

February 24, 2006

Examiner:

Louis, Mandy C

For:

METHOD FOR PRODUCING CARBON NANOWALLS, CARBON

NANOWALLS, AND APPARATUS FOR PRODUCING CARBON

NANOWALLS

Honorable Commissioner of Patents Alexandria, VA 22313-1450

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Sir:

The undersigned respectfully request a Corrected Official Filing Receipt for the above-identified patent application. In particular, it is requested that the 371 (c) date be corrected as follows:

May 5, 2006

as reflected in the attached Submission of Declaration, date stamped postcard receipt, and Previous Paper filed December 1, 2006.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,

Sean M. McGinn

Registration No. 34,386

Date:

McGinn Intellectual Property

Law Group, PLLC

8321 Old Courthouse Road, Suite 200

Vienna, Virginia 22182-3817

(703) 761-4100

In re patent application of

Hiroyuki KANO, et al.

Serial No.:

10/569,838

10,000,000

Group Art Unit:

Unknown

Filing Date:

February 24, 2006

Examiner:

. Unknown

For:

METHOD FOR PRODUCING CARBON NANOWALLS, CARBON

NANOWALL, AND APPARATUS FOR PRODUCING CARBON

NANOWALLS

Honorable Commissioner of Patents Alexandria, Virginia 22313-1450

SUBMISSION OF DECLARATION

Sir:

Submitted herewith is the signed declaration for the above-identified patent application.

The fees including the surcharge for the late filing of the declaration were paid on February 24,

2006.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully submitted,

Sean M. McGinn, Esq. Registration No. 34,386

Date:

MCGINN INTELLECTUAL PROPERTY

LAW GROUP, PLLC

8321 Old Courthouse Road, Suite 200 Vienna, Virginia 22182-3817

(703) 761-4100

Application for United States Patent

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD FOR PRODUCING CARBON NANOWALLS, CARBON NANOWALLS AND APPARATUS FOR PRODUCING CARBON NANOWALLS the specification of which: (check one) [is attached hereto] was filed on as Application Serial No. and was amended on I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, '1.56* I hereby claim foreign priority benefits under Title 35, United States Code, '119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: Prior Foreign Application(s) 2003-303484 JAPAN 27/AUGUST/2003 X (Number) (Country) (Day/Month/Year Filed) yes no I hereby claim the benefit under Title 35, United States Code, '120 of any United States application(s) is delicious material information as defined in Title 35, United States Code, '112, I tecknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, '1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application: PCT/JP2004/12406 (Application Serial No.) (Filing Date) (Status: patented, pending, abandoned)	I believe I am the origin	nal, first and sole inventor (if	only one name is listed below) or a	n original fire
METHOD FOR PRODUCING CARBON NANOWALLS, CARBON NANOWALL, AND APPARATUS FOR PRODUCING CARBON NANOWALLS the specification of which: (check one)	Jount inventor (if plural names ar	e listed below) of the subject	matter which is claimed and for w	hich a natent is
the specification of which: (check one)	sought on the invention entitled:			
the specification of which: (check one)	METHOD FOR PI	RODUCING CARBON NAN	OWALLS, CARBON NANOWAL	L.
the specification of which: (check one)			<u> </u>	
(check one) (is attached hereto) as Application Serial No, and was amended on, (if applicable) I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, ' 1.56* I hereby claim foreign priority benefits under Title 35, United States Code, ' 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application patent or inventor's certificate having a filing date before that of the application on which priority is claimed: Prior Foreign Application(s)	AND APPARA	ATUS FOR PRODUCING CA	ARBON NANOWALLS	
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as Application Serial No	(check one)			
as Application Serial No	(is attached hereto)			
as Application Serial No	was filed an			
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which occurred between the filing date of the prior application and the national or PCT international filing date of his application: PCT/JP2004/12406	Jnited States application in the ma	inner provided by the first pe	regrees of Title 25. United States	sed in the prio
his application: PCT/JP2004/12406	cknowledge the duty to disclose m	aterial information as define	d in Title 27. Code of Federal D	Code, 112, 1
PCT/JP2004/12406 27/AUGUST/2004	which occurred between the filing	date of the prior application	and the medianal as BOTT to	ulations, ' 1.50
PCT/JP2004/12406 27/AUGUST/2004	his application:	sate of the prior application a	ind the national or PCT internation	nal filing date
(A1:-4: G : 13x				
(A==1!==4!= C + 137)				
(Status: patented, pending, abandoned)	PCT/JP2004/12406	27/AUGUST/2004		
			(Status: notanted	ing ob-
			(Status: patented, pend	ing, abandoned

and/or agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn Intellectual Property Law Group, PLLC,

Customer No. 21254, 8321 Old Courthouse Road, Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn Intellectual Property Law Group, PLLC at (703) 761-4100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Joint Inventor, If Any	Hiroyuki, KANO		
Inventor's Signature	Liple from	Date Fif.	23,2006
Residence	Aichi-ken		
Citizenship	Japan		
Post Office Address NU Aza, Umzutsum	Eco Engineering Co., Ltd. i, 1237-87, Oaza, Kurozasa, miyoshi-cho, Nishikam	o-gun, Aichi-k	en, 470-0201, Japan
Full Name of Second Joint Inventor, If Any Inventor's Signature	lineo, HIRAMATSU	Date Zie L	. 27 200/
Residence	Aichi-ken	Ducpey	. 7. 200
Citizenship	Japan		
Post Office Address 97-1	905, Shiratsuchi, Haruki, Togo-cho, Aichi-gun, Aic	hi-ken, 470-01	62, Japan
Full Name of Third Joint Inventor, If Any	Aasaru, HORI		
Inventor's Signature	harre Com	Date (=	ch 22 2006
Residence	Aichi-ken		
Citizenship	Japan		
Post Office Address 6-176	, Fujitsuka, Nisshin-shi, Aichi, 470-0117, Japan		

*Title 37, Code of Federal Regulations, ' 1.56:

٦,

Full Name of Cal-

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

FEB 1 2 2009 FUJIT. 081 Smmlrap Attorney's Post Card Filing Receipt
Serial Number: 10/5109,838

Papers Filed Papers Filed On: 5 10506 Trademark Attorney's Docket Number: F06-436. KAND (et al. Application Filing Date: 2 BY 06 Applicant's Name: Hiroyuk Papers Filed Herewith: Request for Expsion of Time CPA Request Amendment Appeal Brief (in triplement) Reply Brief Notice of Appeal 1449 Form w/ ___ Documents Priority Document(s) IDS Recordation Cover Sheet ☐ Formal Drawings Assignment Missing Parts ☐ Drawing Corrections ☐ Issue Fee Transmittal 1 Other Submission of declaration Check Charge Deposit Account: Fees Filed Herewith: \$ Hand Delivered



In re patent application of

Mineo HIRAMATSU, et al.

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Group Art Unit:

Unknown

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Unknown

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METHOD FOR PRODUCING CARBON NANOWALLS, CARBON

NANOWALL, AND APPARATUS FOR PRODUCING CARBON

NANOWALLS

Honorable Commissioner of Patents Alexandria, Virginia 22313-1450

PAPER

Sir:

In response to the Notice to Notice of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (copy attached), dated October 19, 2006, submitted herewith are copies of Submission of Declaration and Notice of Change of Address, filed on May 5, 2006, along with a copy of the date-stamped post card receipt. Thus, the §371 (c) completion date should be May 5, 2006.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully/submitted

Sean M. McGinn, Esq. Registration No. 34,386

Date:

MCGINN INTELLECTUAL PROPERTY

LAW GROUP, PLLC

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CARBON NANOWALL, AND APPARATUS FOR PRODUCING

CARBON NANOWALLS

Honorable Commissioner of Patents Alexandria, Virginia 22313-1450

PAPER

Sir:

Applicant submits the Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 dated May 2, 2007 (copy attached) indicating the Date of Completion of all 35 U.S.C. 371 Requirements is December 1, 2006, is incorrect. The correct Date of Completion of all 35 U.S.C. 371 Requirements is May 5, 2006, as indicated on the Submission of Declaration, date stamped postcard receipt and Previous Paper dated December 1, 2007 (copies attached).

Applicant respectfully requests a corrected Notice of Acceptance.

Date:

MCGINN INTELLECTUAL PROPERTY

LAW GROUP, PLLC

8321 Old Courthouse Road, Suite 200 Vienna, Virginia 22182-3817 (703) 761-4100, Customer No. 21254

Respectfully submitted,

Sean M. McGinn, Esq. Registration No. 34,386

FEB 1 2 2009

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Honorable Commissioner of Patents Alexandria, Virginia 22313-1450

SUBMISSION OF DECLARATION

Sir:

Submitted herewith is the signed declaration for the above-identified patent application. The fees including the surcharge for the late filing of the declaration were paid on February 24, 2006.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

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Sean M. McGinn, Esq. Registration No. 34,386

Date:

TUAL PROPERTY

LAW GROUP, PLLC

8321 Old Courthouse Road, Suite 200 Vienna, Virginia 22182-3817

(703) 761-4100

Application for United States Patent

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

Joint inventor (if plural names ar	e listed below) of the subject	only one name is listed below) or a matter which is claimed and for w	n original, fi hich a patent	rst an is
sought on the invention entitled:		OWALLS, CARBON NANOWAL	_	
	TUS FOR PRODUCING CA			
	TES FOR FRODUCING CA	RBUN NANUWALLS		
the specification of which: (check one)				
(is attached hereto)				
was filed on		•		
as Application	Serial No.	,		
and was amend	Serial Noled on	. (if applicable)		
I hereby state that I hav including the claims, as amended	e reviewed and understand th by any amendment referred t	e contents of the above identified so above.	pecification,	
accordance with Title 37, Code of	rederal Regulations, ' 1.56*		•	n in
application(s) for patent or invent	or's certificate listed below an	United States Code, ' 119 of any d have also identified below any fo at of the application on which prio	araian applia	ation ed:
Prior Foreign Application(s)			priority	
2003-303484	JAPAN		claimed	
(Number)	(Country)	27/AUGUST/2003	X	
(LVIIII)	(Country)	(Day/Month/Year Filed)	yes	no
United States application in the ma ecknowledge the duty to disclose m	pject matter of each of the clai unner provided by the first pa aterial information as defined	Code, ' 120 of any United States ims of this application is not discloragraph of Title 35, United States in Title 37, Code of Federal Regund the national or PCT internation	sed in the pr Code, ' 112,	ior , I
PCT/JP2004/12406	27/AUGUST/2004			
(Application Serial No.)	(Filing Date)	(Status: patented, pend	ing, abandon	ed)

Power of Attorney: As a named inventor, I hereby appoint Sean M. McGinn, Reg. No. 34, 386, as attorney and/or agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn Intellectual Property Law Group, PLLC,

Customer No. 21254, 8321 Old Courthouse Road, Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn Intellectual Property Law Group, PLLC at (703) 761-4100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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*Title 37, Code of Federal Regulations, ' 1.56:

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of

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Serial Number: 10 / 5/109 838 Papers Filed On: 5 /05/06
Attorney's Docket Number: F06-436-15 Patent Trademark
Applicant's Name: Hivoyuki KAND (etc.). Application Filing Date: 2 BY CG Papers Filed Herewith:
Amendment Request for Exception of Time CPA Request
Notice of Appeal Brief (in triplement) Reply Brief
IDS 1449 Form w/ Documents Priority Document(s)
Assignment Recordation Cover Sheet Formal Drawings
Drawing Corrections Issue Fee Transmittal Missing Parts
Other Submission of declaration
Fees Filed Herewith: \$ Check Charge Deposit Account:
Hand Delivered

In re patent application of

Mineo HIRAMATSU, et al.

Serial No.:

10/569,838

Filing Date:

February 24, 2006

Group Art Unit:

Examiner:

Unknown

6

Unknown

For:

METHOD FOR PRODUCING CARBON NANOWALLS, CARBON

NANOWALL, AND APPARATUS FOR PRODUCING CARBON

NANOWALLS

Honorable Commissioner of Patents Alexandria, Virginia 22313-1450

PAPER

Sir:

In response to the Notice to Notice of Missing Requirements Under 35 U.S.C. § 371 in the United States Designated/Elected Office (copy attached), dated October 19, 2006, submitted herewith are copies of Submission of Declaration and Notice of Change of Address, filed on May 5, 2006, along with a copy of the date-stamped post card receipt. Thus, the §371 (c) completion date should be May 5, 2006.

Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-0481.

Respectfully/submitted.

Sean M. McGinn, Esq. Registration No. 34,386

Date:

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